

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: MEDTRONIC, INC.,
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL No. 05-1726 (JMR/AJB)

This Document Relates to ALL ACTIONS

**MEDTRONIC, INC.'S MOTION TO DISMISS
THE MASTER CONSOLIDATED COMPLAINT FOR
MEDICARE AS SECONDARY PAYER ACT CLAIMS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Medtronic, Inc. ("Medtronic") hereby moves this Court to dismiss Plaintiffs' Master Consolidated Complaint for Medicare as Secondary Payer Act Claims in its entirety.

In support of this Motion, Medtronic submits the attached Memorandum of Law.

Dated: March 23, 2006

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